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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

VACIEANNA BERRY,

Civ. No. 04-3107-CO

Plaintiffs,

Order

v.

CITY OF GRANTS PASS, an
Oregon municipality, et al.,

Defendants.

Magistrate Judge John P. Cooney filed Findings and Recommendation on September 11, 2006 in the above entitled case. The matter is now before the court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

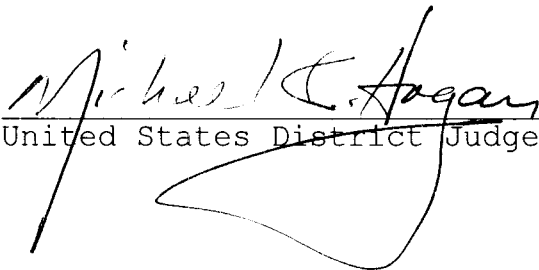
Plaintiff timely filed objections. The court has,

therefore, given de novo review of Judge Cooney's rulings.

After review, the court adopts the Findings and Recommendation filed September 11, 2006 [#69] in its entirety. Grants Pass defendants' motion for summary judgment [#33] and Parker County defendants' motion for summary judgment [#37] are granted with prejudice as to plaintiff's federal claim; plaintiff's supplemental state law claims for false imprisonment/arrest and trespass are dismissed without prejudice; and plaintiff having conceded all other claims, the clerk is accordingly directed to enter judgment dismissing this case.

IT IS SO ORDERED.

DATED this 1st day of November, 2006.


United States District Judge